

Senate File 538 - Introduced

SENATE FILE _____
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1138)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to a parent's cause of action for the recovery of
2 expenses and actual loss of services, companionship, and
3 society resulting from the injury to or death of a child and
4 including an applicability date provision.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 2057SV 82
7 rh/je/5

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1 1 Section 1. NEW SECTION. 613.15A INJURY TO OR DEATH OF A
1 2 CHILD.
1 3 A parent or the parents of a child may recover for the
1 4 expense and actual loss of services, companionship, and
1 5 society resulting from the death of the child, regardless of
1 6 the child's age. Any recovery by a parent under this section
1 7 shall be subordinate to the recovery, if any, of the spouse or
1 8 a child of the decedent.
1 9 Sec. 2. APPLICABILITY. This Act applies to all actions
1 10 filed on or after the effective date of this Act.
1 11 EXPLANATION
1 12 This bill provides that a parent or the parents of a child
1 13 may recover for the expense and actual loss of services,
1 14 companionship, and society resulting from the death of the
1 15 child regardless of the child's age. Any recovery by a parent
1 16 under the bill shall be subordinate to the recovery, if any,
1 17 of the spouse or a child of the decedent.
1 18 The bill applies to all actions filed on or after the
1 19 effective date of the bill.
1 20 LSB 2057SV 82
1 21 rh:nh/je/5